



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

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26 Federal Plaza, 37<sup>th</sup> Floor  
New York, New York 10278

July 1, 2025

**BY ECF**

The Honorable Arun Subramanian  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

**Re:     *United States v. Combs, S3 24 Cr. 542 (AS)***

Dear Judge Subramanian:

Pursuant to the Court's order, Dkt. No. 342, attached please find the Government's email correspondence to and from the Court concerning evidentiary objections or applications for other relief.

Respectfully submitted,

JAY CLAYTON  
United States Attorney

By: \_\_\_\_\_/s  
Maurene Comey / Meredith Foster /  
Emily A. Johnson / Christy Slavik /  
Madison Reddick Smyser / Mitzi Steiner  
Assistant United States Attorneys  
(212) 637-2324/-2310/-2409/-1113/-2381/-2284

cc:     Counsel of record (by ECF)

**Steiner, Mitzi (USANYS)**

---

**From:** Comey, Maurene (USANYS)  
**Sent:** Monday, May 26, 2025 10:41 PM  
**To:** Jason A. Driscoll; subramaniannysdchambers@nysd.uscourts.gov  
**Cc:** Alexandra Shapiro; xdonaldson; nw@westmorelandlawgroup.com; Anna Estevao; thesteellawfirm; marc@agilawgroup.com; teny@agilawgroup.com; Slavik, Christy (USANYS); Smyser, Madison (USANYS); Steiner, Mitzi (USANYS); Johnson, Emily (USANYS) 2; Foster, Meredith (USANYS)  
**Subject:** RE: US v. Combs  
**Attachments:** 2025.05.26 US v. Combs - Gov't Opposition to Defense Motion re Summary Charts vf.pdf

Good evening,

I received notifications indicating that my initial email may not have been received by all parties due to the size of the attachments. I am resending the letter only and will ask our office's paralegals to add the exhibits from *Menendez* to USAfx.

Respectfully,

Maurene Comey  
Assistant United States Attorney  
Southern District of New York  
26 Federal Plaza, 37th Floor  
New York, NY 10278  
212-637-2324  
[Maurene.Comey@usdoj.gov](mailto:Maurene.Comey@usdoj.gov)

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**From:** Comey, Maurene (USANYS)  
**Sent:** Monday, May 26, 2025 10:33 PM  
**To:** 'Jason A. Driscoll' <jdriscoll@shapiroarato.com>; subramaniannysdchambers@nysd.uscourts.gov  
**Cc:** Alexandra Shapiro <ashapiro@shapiroarato.com>; xdonaldson <xdonaldson@aol.com>; nw@westmorelandlawgroup.com; Anna Estevao <aestevao@harristrz.com>; thesteellawfirm <thesteellawfirm@msn.com>; marc@agilawgroup.com; teny@agilawgroup.com; Slavik, Christy (USANYS) <Mary.Slavik@usdoj.gov>; Smyser, Madison (USANYS) <Madison.Smyser@usdoj.gov>; Steiner, Mitzi (USANYS) <Mitzi.Steiner@usdoj.gov>; Johnson, Emily (USANYS) 2 <Emily.Johnson@usdoj.gov>; Foster, Meredith (USANYS) <Meredith.Foster@usdoj.gov>  
**Subject:** RE: US v. Combs

Good evening,

Attached please find the Government's response to the defendant's letter regarding summary charts, as well as six summary charts from *United States v. Menendez, et al.*, 23 Cr. 490 (SHS), which are referenced in this response.

The Government will confer with defense counsel regarding whether any redactions are necessary before public filing.

Respectfully submitted,

Maurene Comey  
Assistant United States Attorney  
Southern District of New York  
26 Federal Plaza, 37th Floor  
New York, NY 10278  
212-637-2324  
[Maurene.Comey@usdoj.gov](mailto:Maurene.Comey@usdoj.gov)

---

**From:** Jason A. Driscoll <[jdriscoll@shapiroarato.com](mailto:jdriscoll@shapiroarato.com)>  
**Sent:** Wednesday, May 21, 2025 10:25 PM  
**To:** [subramaniannysdchambers@nysd.uscourts.gov](mailto:subramaniannysdchambers@nysd.uscourts.gov)  
**Cc:** Alexandra Shapiro <[ashapiro@shapiroarato.com](mailto:ashapiro@shapiroarato.com)>; Jason A. Driscoll <[jdriscoll@shapiroarato.com](mailto:jdriscoll@shapiroarato.com)>; xdonaldson <[xdonaldson@aol.com](mailto:xdonaldson@aol.com)>; [nw@westmorelandlawgroup.com](mailto:nw@westmorelandlawgroup.com); Anna Estevao <[aestevao@harristrz.com](mailto:aestevao@harristrz.com)>; thesteellawfirm <[thesteellawfirm@msn.com](mailto:thesteellawfirm@msn.com)>; [marc@agilawgroup.com](mailto:marc@agilawgroup.com); [teny@agilawgroup.com](mailto:teny@agilawgroup.com); Slavik, Christy (USANYS) <[Mary.Slavik@usdoj.gov](mailto:Mary.Slavik@usdoj.gov)>; Smyser, Madison (USANYS) <[Madison.Smyser@usdoj.gov](mailto:Madison.Smyser@usdoj.gov)>; Steiner, Mitzi (USANYS) <[Mitzi.Steiner@usdoj.gov](mailto:Mitzi.Steiner@usdoj.gov)>; Comey, Maurene (USANYS) <[Maurene.Comey@usdoj.gov](mailto:Maurene.Comey@usdoj.gov)>; Johnson, Emily (USANYS) 2 <[Emily.Johnson@usdoj.gov](mailto:Emily.Johnson@usdoj.gov)>; Foster, Meredith (USANYS) <[Meredith.Foster@usdoj.gov](mailto:Meredith.Foster@usdoj.gov)>  
**Subject:** [EXTERNAL] US v. Combs

Dear Chambers,

Attached please find a letter from the defense concerning the government's draft summary charts. We will confer with the government on redactions for the public filing.

Jason A. Driscoll  
 [Shapiro Arato Bach LLP](http://ShapiroAratoBach.com)  
1140 Avenue of the Americas, 17th Floor  
New York, NY 10036  
212-257-4898 (o)  
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The Government will confer with defense counsel regarding whether any redactions are necessary before public filing.

Respectfully submitted,

Maurene Comey  
Assistant United States Attorney  
Southern District of New York  
26 Federal Plaza, 37th Floor  
New York, NY 10278  
212-637-2324  
[Maurene.Comey@usdoj.gov](mailto:Maurene.Comey@usdoj.gov)

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**To:** [subramaniannysdchambers@nysd.uscourts.gov](mailto:subramaniannysdchambers@nysd.uscourts.gov)  
**Cc:** Alexandra Shapiro <[ashapiro@shapiroarato.com](mailto:ashapiro@shapiroarato.com)>; Jason A. Driscoll <[jdriscoll@shapiroarato.com](mailto:jdriscoll@shapiroarato.com)>; xdonaldson <[xdonaldson@aol.com](mailto:xdonaldson@aol.com)>; [nw@westmorelandlawgroup.com](mailto:nw@westmorelandlawgroup.com); Anna Estevao <[aestevao@harristrz.com](mailto:aestevao@harristrz.com)>; thesteellawfirm <[thesteellawfirm@msn.com](mailto:thesteellawfirm@msn.com)>; [marc@agilawgroup.com](mailto:marc@agilawgroup.com); [teny@agilawgroup.com](mailto:teny@agilawgroup.com); Slavik, Christy (USANYS) <[Mary.Slavik@usdoj.gov](mailto:Mary.Slavik@usdoj.gov)>; Smyser, Madison (USANYS) <[Madison.Smyser@usdoj.gov](mailto:Madison.Smyser@usdoj.gov)>; Steiner, Mitzi (USANYS) <[Mitzi.Steiner@usdoj.gov](mailto:Mitzi.Steiner@usdoj.gov)>; Comey, Maurene (USANYS) <[Maurene.Comey@usdoj.gov](mailto:Maurene.Comey@usdoj.gov)>; Johnson, Emily (USANYS) 2 <[Emily.Johnson@usdoj.gov](mailto:Emily.Johnson@usdoj.gov)>; Foster, Meredith (USANYS) <[Meredith.Foster@usdoj.gov](mailto:Meredith.Foster@usdoj.gov)>  
**Subject:** [EXTERNAL] US v. Combs

Dear Chambers,

Attached please find a letter from the defense concerning the government's draft summary charts. We will confer with the government on redactions for the public filing.

Jason A. Driscoll  
 [Shapiro Arato Bach LLP](http://ShapiroAratoBach.com)  
1140 Avenue of the Americas, 17th Floor  
New York, NY 10036  
212-257-4898 (o)  
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**Steiner, Mitzi (USANYS)**

---

**From:** Johnson, Emily (USANYS) 2  
**Sent:** Friday, May 30, 2025 12:23 AM  
**To:** SubramanianNYSDChambers; Marc Agnifilo; Teny Geragos; Alexandra Shapiro; Jason A. Driscoll; thesteellawfirm@msn.com; aestevao@harristrz.com; nw@westmorelandlawgroup.com; Xdonaldson@aol.com  
**Cc:** Steiner, Mitzi (USANYS); Smyser, Madison (USANYS); Foster, Meredith (USANYS); Slavik, Christy (USANYS); Comey, Maurene (USANYS)  
**Subject:** US v. Combs - Summary Charts  
**Attachments:** GX 1406 -- DRAFT as of 5.29.2025.pdf; GX 1402 -- DRAFT as of 5.29.2025.pdf; GX 1404 -- DRAFT as of 5.29.2025.pdf; GX 1405 -- DRAFT as of 5.29.2025.pdf

Dear Judge Subramanian and Chambers,

Attached for the Court's review are updated versions of certain draft summary charts that the Government seeks to admit. The parties have attempted to confer, but the Government understands that the defense maintains the objections articulated in its filings. Nevertheless, the Government has revised GX 1402 and 1406 to address some of the concerns raised in the defense's motion, and the Government has reformatted GX 1404 and 1405 into a more visually appealing medium with the same content.

The parties respectfully request that the Court rule on the admissibility of GX 1402 before the weekend because we expect to offer it as early as Tuesday, June 3.

Respectfully,

**Emily A. Johnson | Assistant United States Attorney**  
United States Attorney's Office | Southern District of New York  
26 Federal Plaza | New York, NY 10278  
T: 212.637.2409 | [emily.johnson@usdoj.gov](mailto:emily.johnson@usdoj.gov)

**Steiner, Mitzi (USANYS)**

---

**From:** Comey, Maurene (USANYS)  
**Sent:** Wednesday, June 4, 2025 10:57 PM  
**To:** Subramanian NYSD Chambers  
**Cc:** Teny Geragos; Marc Agnifilo; thesteellawfirm@msn.com; nw@westmorelandlawgroup.com; xdonaldson@aol.com; aestevao@harristrz.com; Alexandra Shapiro; Jason A. Driscoll; Johnson, Emily (USANYS) 2; Slavik, Christy (USANYS); Steiner, Mitzi (USANYS); Smyser, Madison (USANYS); Foster, Meredith (USANYS)  
**Subject:** US v. Combs - Letter re Jane GX  
**Attachments:** 2025.06.04 US v. Combs - Letter re Jane GX vf.pdf

Good evening,

Attached please find a letter addressing remaining disputes regarding exhibits the Government intends to use in connection with Jane's testimony. We will confer with the defense regarding appropriate redactions before filing publicly.

Respectfully submitted,

Maurene Comey  
Assistant United States Attorney  
Southern District of New York  
26 Federal Plaza, 37th Floor  
New York, NY 10278  
212-637-2324  
[Maurene.Comey@usdoj.gov](mailto:Maurene.Comey@usdoj.gov)

**Steiner, Mitzi (USANYS)**

---

**From:** Comey, Maurene (USANYS)  
**Sent:** Wednesday, June 4, 2025 12:31 AM  
**To:** Teny Geragos; SubramanianNYSDChambers; Johnson, Emily (USANYS) 2; Foster, Meredith (USANYS); Slavik, Christy (USANYS); Steiner, Mitzi (USANYS); Smyser, Madison (USANYS)  
**Cc:** Marc Agnifilo; Alexandra Shapiro; Anna Estevao; Jason A. Driscoll; nw@westmorelandlawgroup.com; xdonaldson; thesteellawfirm  
**Subject:** RE: US v Combs - 6/4/25 Trial Issues

Good evening,

I write to update the Court on the status of the parties' discussions regarding exhibits that may be offered in connection with Jane's testimony. The parties have continued to have very productive conferrals, which have further narrowed evidentiary disputes with respect to this witness. None of the Government Exhibits that remain in dispute will come up during Jane's testimony on Wednesday, so the Court need not resolve those disputes before Thursday morning. The parties will plan to file substantive letters on the outstanding issues by Wednesday evening.

As a preview, below are the Jane-related Government Exhibits that remain in dispute.

- The defense has raised FRE 106 objections to several Government Exhibits containing portions of text message exchanges between Jane and the defendant. The Government has agreed to modify some of its exhibits to address FRE 106 concerns, but does not believe further adjustments are necessary within the meaning of the Rule. Below are the Government Exhibits that remain in this disputed category:
  - A-104-13 through A-104-15
  - A-104-18
  - A-104-23
  - A-104-30 & A-104-31
  - A-104-60
  - A-104-62 through A-104-73
  - A-104-76
  - A-104-78
  - A-301-I through A-301-M
  - A-301-R through A-301-V
  - A-442-19
  - A-442-31
  - A-442-33
  - A-442-39 through A-442-42
  - A-510-A
  - A-510-H
- The defense objects to several Government Exhibits on hearsay grounds. These exhibits fall into the three categories identified below, which the parties expect to brief by Wednesday evening:

1. GX C-251 is a text exchange between Jane and Kristina Khorram from December 2023 in which Jane reports to Khorram threats the defendant made just prior to release FO videos of her. The Government intends to submit portions of Jane's texts as present-sense impressions, portions to show her state of mind, and the entirety to prove their impact on Khorram and to prove that after receiving these messages Khorram had reason to know of illegal conduct.
2. GX E-171 is a screenshot of a headline that Jane took when Casandra Ventura filed her lawsuit in November 2023. The Government will offer the screenshot to prove its impact on Jane and not for its truth.
3. GX E-178, E-179, E-182, and E-331-A through E-331-P are all entries that Jane wrote in her Notes App, which she used as a diary during her relationship with the defendant. The Government will offer portions of these notes that relate to Jane's feelings at the time of writing to prove her state of mind. The Government will also offer these notes as prior consistent statements to rebut attacks on her credibility made during opening statements.

Respectfully,

Maurene Comey  
Assistant United States Attorney  
Southern District of New York  
26 Federal Plaza, 37th Floor  
New York, NY 10278  
212-637-2324  
[Maurene.Comey@usdoj.gov](mailto:Maurene.Comey@usdoj.gov)

---

**From:** Teny Geragos <teny@agilawgroup.com>  
**Sent:** Tuesday, June 3, 2025 10:19 PM  
**To:** SubramanianNYSDChambers <SubramanianNYSDChambers@nysd.uscourts.gov>; Comey, Maurene (USANYS) <Maurene.Comey@usdoj.gov>; Johnson, Emily (USANYS) 2 <Emily.Johnson@usdoj.gov>; Foster, Meredith (USANYS) <Meredith.Foster@usdoj.gov>; Slavik, Christy (USANYS) <Mary.Slavik@usdoj.gov>; Steiner, Mitzi (USANYS) <Mitzi.Steiner@usdoj.gov>; Smyser, Madison (USANYS) <Madison.Smyser@usdoj.gov>  
**Cc:** Marc Agnifilo <marc@agilawgroup.com>; Alexandra Shapiro <ashapiro@shapiroarato.com>; Anna Estevao <aestevao@harristrz.com>; Jason A. Driscoll <jdriscoll@shapiroarato.com>; nw@westmorelandlawgroup.com; xdonaldson <xdonaldson@aol.com>; thesteellawfirm <thesteellawfirm@msn.com>  
**Subject:** [EXTERNAL] US v Combs - 6/4/25 Trial Issues

Dear Chambers:

The parties have conferred regarding the witnesses for tomorrow.

1. Frank Piazza

We understand that the Court does not need further argument on this and we stand ready to answer any questions on 10C-115 tomorrow morning.

2. Bana Bongolan

The parties disagree on a few defense exhibits and the defense will file a short letter tonight.

3. Jane

The parties have conferred and have substantially narrowed the issues with respect to government exhibits for Jane's direct. This evening, I expect that the government will submit a short letter setting out our positions with respect to those exhibits. We may be able to respond in writing by later this evening.

Respectfully,  
Teny



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**Steiner, Mitzi (USANYS)**

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**From:** Comey, Maurene (USANYS)  
**Sent:** Thursday, June 5, 2025 11:19 PM  
**To:** Teny Geragos; Jason A. Driscoll; SubramanianNYSDChambers  
**Cc:** Marc Agnifilo; thesteellawfirm; nw@westmorelandlawgroup.com; xdonaldson; Anna Estevao; Alexandra Shapiro; Johnson, Emily (USANYS) 2; Slavik, Christy (USANYS); Steiner, Mitzi (USANYS); Smyser, Madison (USANYS); Foster, Meredith (USANYS); Jason A. Driscoll  
**Subject:** RE: US v. Combs - Letter re Jane GX  
**Attachments:** GX E-331-F-R - (February 12, 2023 note) -\_Redacted.pdf; GX E-331-H-R - (February 22, 2023 note)\_Redacted.pdf; GX E-331-J-R - (October 26, 2023 note) - \_Redacted.pdf; GX E-331-A-R - (December 12, 2022 note)\_Redacted.pdf; GX E-331-B-R - (November 26, 2022 note)\_Redacted v2\_Redacted.pdf; GX E-331-I (September 16, 2023 notes).pdf; GX E-331-C (February 12-13, 2023 notes) - \_Redacted.pdf

Good evening,

Ms. Geragos and I have continued to confer and have further narrowed the issues in dispute. We have reached agreement on all of the rule-of-completeness objections, which we will put on the record tomorrow morning.

In addition, the Government has prepared a subset of Jane's notes (GX E-331-A, E-331-B, E-331-C, E-331-F, E-331-H, E-331-I, and E-331-J), from before Ms. Ventura filed her lawsuit, which I intend to offer during Jane's direct examination. The defense still objects to those notes for the reasons they have set forth in their letter and on the record this morning. Attached please find the narrowed set of notes, five of which are now redacted to only display text the Government believes is either indicative of state of mind or admissible as a prior consistent statement in light of the defense's opening statement, and two of which the Government believes should be admitted in their entirety on those same bases.

Respectfully,

Maurene Comey  
Assistant United States Attorney  
Southern District of New York  
26 Federal Plaza, 37th Floor  
New York, NY 10278  
212-637-2324  
[Maurene.Comey@usdoj.gov](mailto:Maurene.Comey@usdoj.gov)

---

**From:** Teny Geragos <[teny@agilawgroup.com](mailto:teny@agilawgroup.com)>  
**Sent:** Thursday, June 5, 2025 12:40 AM  
**To:** Jason A. Driscoll <[jdriscoll@shapiroarato.com](mailto:jdriscoll@shapiroarato.com)>; SubramanianNYSDChambers <[SubramanianNYSDChambers@nysd.uscourts.gov](mailto:SubramanianNYSDChambers@nysd.uscourts.gov)>  
**Cc:** Marc Agnifilo <[marc@agilawgroup.com](mailto:marc@agilawgroup.com)>; thesteellawfirm <[thesteellawfirm@msn.com](mailto:thesteellawfirm@msn.com)>; nw@westmorelandlawgroup.com; xdonaldson <[xdonaldson@aol.com](mailto:xdonaldson@aol.com)>; Anna Estevao <[aestevao@harristrz.com](mailto:aestevao@harristrz.com)>;

Alexandra Shapiro <[ashapiro@shapiroarato.com](mailto:ashapiro@shapiroarato.com)>; Comey, Maurene (USANYS) <[Maurene.Comey@usdoj.gov](mailto:Maurene.Comey@usdoj.gov)>; Johnson, Emily (USANYS) 2 <[Emily.Johnson@usdoj.gov](mailto:Emily.Johnson@usdoj.gov)>; Slavik, Christy (USANYS) <[Mary.Slavik@usdoj.gov](mailto:Mary.Slavik@usdoj.gov)>; Steiner, Mitzi (USANYS) <[Mitzi.Steiner@usdoj.gov](mailto:Mitzi.Steiner@usdoj.gov)>; Smyser, Madison (USANYS) <[Madison.Smyser@usdoj.gov](mailto:Madison.Smyser@usdoj.gov)>; Foster, Meredith (USANYS) <[Meredith.Foster@usdoj.gov](mailto:Meredith.Foster@usdoj.gov)>; Jason A. Driscoll <[jdriscoll@shapiroarato.com](mailto:jdriscoll@shapiroarato.com)>

**Subject:** [EXTERNAL] RE: US v. Combs - Letter re Jane GX

Dear Chambers:

We marked and highlighted the remaining government exhibits in dispute for FRE 106. A corresponding chart is below:

DX 3029 and DX 3030	A-104-13 through A-104-15
DX 3183	A-104-60
DX 3215	A-104-76
DX 3172	A-442-33
DX 3169, p.1-2	A-442-31
DX 3232, p.1-11	A-301-K A-301-L A-301-M
DX 3239, p.1-21.	A-301-R A-301-S A-301-T A-301-U A-301-V

Respectfully,  
Teny

---

**From:** Jason A. Driscoll <[jdriscoll@shapiroarato.com](mailto:jdriscoll@shapiroarato.com)>

**Sent:** Thursday, June 5, 2025 12:19 AM

**To:** SubramanianNYSDChambers <[SubramanianNYSDChambers@nysd.uscourts.gov](mailto:SubramanianNYSDChambers@nysd.uscourts.gov)>

**Cc:** Teny Geragos <[teny@agilawgroup.com](mailto:teny@agilawgroup.com)>; Marc Agnifilo <[marc@agilawgroup.com](mailto:marc@agilawgroup.com)>; thesteellawfirm <[thesteellawfirm@msn.com](mailto:thesteellawfirm@msn.com)>; nw@westmorelandlawgroup.com; xdonaldson <[xdonaldson@aol.com](mailto:xdonaldson@aol.com)>; Anna Estevao <[aestevao@harristrz.com](mailto:aestevao@harristrz.com)>; Alexandra Shapiro <[ashapiro@shapiroarato.com](mailto:ashapiro@shapiroarato.com)>; Comey, Maurene (USANYS) <[Maurene.Comey@usdoj.gov](mailto:Maurene.Comey@usdoj.gov)>; Johnson, Emily (USANYS) 2 <[Emily.Johnson@usdoj.gov](mailto:Emily.Johnson@usdoj.gov)>; Slavik, Christy (USANYS) <[Mary.Slavik@usdoj.gov](mailto:Mary.Slavik@usdoj.gov)>; Steiner, Mitzi (USANYS) <[Mitzi.Steiner@usdoj.gov](mailto:Mitzi.Steiner@usdoj.gov)>; Smyser, Madison (USANYS) <[Madison.Smyser@usdoj.gov](mailto:Madison.Smyser@usdoj.gov)>; Foster, Meredith (USANYS) <[Meredith.Foster@usdoj.gov](mailto:Meredith.Foster@usdoj.gov)>; Jason A. Driscoll <[jdriscoll@shapiroarato.com](mailto:jdriscoll@shapiroarato.com)>

**Subject:** Re: US v. Combs - Letter re Jane GX

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Chambers,

Attached please find a letter on behalf of Mr. Combs. We will confer with the government regarding appropriate redactions before filing publicly.

Jason A. Driscoll

**sab** Shapiro Arato Bach LLP

1140 Avenue of the Americas, 17th Floor  
New York, NY 10036  
212-257-4898 (o)

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**From:** Comey, Maurene (USANYS) <[Maurene.Comey@usdoj.gov](mailto:Maurene.Comey@usdoj.gov)>  
**Date:** Wednesday, June 4, 2025 at 10:56 PM  
**To:** Subramanian NYSD Chambers <[subramaniannysdchambers@nysd.uscourts.gov](mailto:subramaniannysdchambers@nysd.uscourts.gov)>  
**Cc:** Teny Geragos <[teny@agilawgroup.com](mailto:teny@agilawgroup.com)>, Marc Agnifilo <[marc@agilawgroup.com](mailto:marc@agilawgroup.com)>, [theesteellawfirm@msn.com](mailto:theesteellawfirm@msn.com) <[theesteellawfirm@msn.com](mailto:theesteellawfirm@msn.com)>, [nw@westmorelandlawgroup.com](mailto:nw@westmorelandlawgroup.com) <[nw@westmorelandlawgroup.com](mailto:nw@westmorelandlawgroup.com)>, [xdonaldson@aol.com](mailto:xdonaldson@aol.com) <[xdonaldson@aol.com](mailto:xdonaldson@aol.com)>, [aestevao@harristrz.com](mailto:aestevao@harristrz.com) <[aestevao@harristrz.com](mailto:aestevao@harristrz.com)>, Alexandra Shapiro <[ashapiro@shapiroarato.com](mailto:ashapiro@shapiroarato.com)>, Jason A. Driscoll <[jdriscoll@shapiroarato.com](mailto:jdriscoll@shapiroarato.com)>, Johnson, Emily (USANYS) 2 <[Emily.Johnson@usdoj.gov](mailto:Emily.Johnson@usdoj.gov)>, Slavik, Christy (USANYS) <[Mary.Slavik@usdoj.gov](mailto:Mary.Slavik@usdoj.gov)>, Steiner, Mitzi (USANYS) <[Mitzi.Steiner@usdoj.gov](mailto:Mitzi.Steiner@usdoj.gov)>, Smyser, Madison (USANYS) <[Madison.Smyser@usdoj.gov](mailto:Madison.Smyser@usdoj.gov)>, Foster, Meredith (USANYS) <[Meredith.Foster@usdoj.gov](mailto:Meredith.Foster@usdoj.gov)>  
**Subject:** US v. Combs - Letter re Jane GX

Good evening,

Attached please find a letter addressing remaining disputes regarding exhibits the Government intends to use in connection with Jane's testimony. We will confer with the defense regarding appropriate redactions before filing publicly.

Respectfully submitted,

Maurene Comey  
Assistant United States Attorney  
Southern District of New York  
26 Federal Plaza, 37th Floor  
New York, NY 10278  
212-637-2324  
[Maurene.Comey@usdoj.gov](mailto:Maurene.Comey@usdoj.gov)

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**From:** [Slavik, Christy \(USANYS\)](#)  
**To:** [Subramanian NYSD Chambers](#)  
**Cc:** [Johnson, Emily \(USANYS\) 2](#); [Steiner, Mitzi \(USANYS\)](#); [Foster, Meredith \(USANYS\)](#); [Smyser, Madison \(USANYS\)](#); [Comey, Maureen \(USANYS\)](#); [Marc Agnifilo](#); [Teny Geragos](#); [Alexandra Shapiro](#); [Jason A. Driscoll](#); [thestellawfirm@msn.com](#); [nw@westmorelandlawgroup.com](#); [xdonaldson@aol.com](#); [aestevao@harristrz.com](#)  
**Subject:** US v. Combs, 24 Cr. 542 (AS)  
**Date:** Wednesday, June 11, 2025 10:44:00 PM  
**Attachments:** [GX H-101-A.pdf](#)

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Dear Judge Subramanian and Chambers,

The Government respectfully writes regarding scheduling for the remainder of the week.

**Thursday, 6/12**

Tomorrow, the Government intends to offer two exhibits following Jane's testimony, GX C-653-1 and GX H-101-A. We understand that the defense objects to GX H-101-A (attached for reference), but does not object to GX C-653-1. The Government will submit a letter later tonight setting forth the basis of admissibility of GX H-101-A. The Government will call Special Agent Andre LaMon next. There are several unresolved issues related to Special Agent LaMon's testimony, which will be set forth in the letter. The Government, with the consent of the defense, proposes addressing GX H-101-A and the issues related to Special Agent LaMon's testimony in the morning (as well as any issues that relate to Jane's testimony) before Jane resumes testifying.

There are multiple additional evidentiary issues, however that require the Court's attention, particularly before summary witness Ananya Sankar takes the stand on Friday. These issues, and the proposed exhibits they relate to, will be flagged in the submission to the Court later tonight. Given the likelihood that Special Agent LaMon's testimony will conclude before 3 pm, the parties propose addressing those evidentiary issues after Special Agent LaMon's testimony concludes.

**Friday, 6/13**

On Friday, the Government intends to call Jonathan Perez and Ananya Sankar. The Government expects that these witnesses will take us through the bulk of the day. Due to travel and scheduling issues, the Government's next witnesses are not available until Monday morning. With the defense's consent, the Government proposes ending the trial day early on Friday if Ms. Sankar's testimony concludes before 3 pm.

This proposed schedule does not impact the Government's estimate of when it will rest, as discussed in Court today.

Respectfully,  
Christy

**M. Christine (Christy) Slavik**  
Assistant United States Attorney

United States Attorney's Office for the Southern District of New York  
26 Federal Plaza, 37th Floor  
New York, New York 10278

[REDACTED]  
Office: (212) 637-1113  
Email: mary.slavik@usdoj.gov

**Steiner, Mitzi (USANYS)**

---

**From:** Comey, Maurene (USANYS)  
**Sent:** Wednesday, June 11, 2025 11:12 PM  
**To:** Teny Geragos; SubramanianNYSDChambers; Johnson, Emily (USANYS) 2; Foster, Meredith (USANYS); Slavik, Christy (USANYS); Steiner, Mitzi (USANYS); Smyser, Madison (USANYS)  
**Cc:** Marc Agnifilo; Anna Estevao; Alexandra Shapiro; Jason A. Driscoll; nw@westmorelandlawgroup.com; xdonaldson; thesteellawfirm  
**Subject:** RE: US v. Combs - 6/12/25 Trial Issue

Good evening,

To clarify, the Government has not offered any communications between Jane and the defendant from December 20, 2023. Rather, the Government offered exhibits containing their communications from December 7, 2023 (GX A-301-B and A-301-C) and December 23, 2023 (GX A-301-G). When the Government offered those exhibits, the defense did not raise any objection suggesting those exhibits lacked necessary context.

Moreover, as Jane testified, she and Mr. Combs were on a break throughout December 2023 and were accordingly not discussing the terms of any ongoing or future relationship. In any event, there are other portions of the recording to which the Government would not object that reflect Mr. Combs's then-existing state of mind and convey similar sentiments without injecting rank hearsay. For example, the Government would not object to a redacted version of this recording containing Mr. Combs's statements "now that you've made it absolutely clear to me that you feel this way;" "I'm sorry that you felt this way, and I don't want you to feel that way no more, I don't want you to be upset or feel that way no more;" and "all I can do now is apologize, I can't go back and fix the past, all I can do is try to be a better person in the future." Those statements would allow the defense to make the arguments they wish from this message without improperly inserting hearsay into these proceedings.

The Government will be prepared to address this issue on the record in the morning.

Respectfully,

Maurene Comey  
Assistant United States Attorney  
Southern District of New York  
26 Federal Plaza, 37th Floor  
New York, NY 10278  
212-637-2324  
[Maurene.Comey@usdoj.gov](mailto:Maurene.Comey@usdoj.gov)

---

**From:** Teny Geragos <[teny@agilawgroup.com](mailto:teny@agilawgroup.com)>  
**Sent:** Wednesday, June 11, 2025 10:30 PM  
**To:** SubramanianNYSDChambers <[SubramanianNYSDChambers@nysd.uscourts.gov](mailto:SubramanianNYSDChambers@nysd.uscourts.gov)>; Comey, Maurene (USANYS)

<Maurene.Comey@usdoj.gov>; Johnson, Emily (USANYS) 2 <Emily.Johnson@usdoj.gov>; Foster, Meredith (USANYS) <Meredith.Foster@usdoj.gov>; Slavik, Christy (USANYS) <Mary.Slavik@usdoj.gov>; Steiner, Mitzi (USANYS) <Mitzi.Steiner@usdoj.gov>; Smyser, Madison (USANYS) <Madison.Smyser@usdoj.gov>  
**Cc:** Marc Agnifilo <marc@agilawgroup.com>; Anna Estevao <aestevao@harristrz.com>; Alexandra Shapiro <ashapiro@shapiroarato.com>; Jason A. Driscoll <jdriscoll@shapiroarato.com>; nw@westmorelandlawgroup.com; xdonaldson <xdonaldson@aol.com>; thesteellawfirm <thesteellawfirm@msn.com>  
**Subject:** [EXTERNAL] US v. Combs - 6/12/25 Trial Issue

Dear Chambers:

Ms. Comey and I have conferred on the remainder of the exhibits I intend to introduce for Jane's cross-examination. There is one in dispute: DX-3226-B. She objects to DX 3226-B, which is a voicenote sent Dec. 20, 2023 6:12pm UTC in the attached DX 3226. We understand that Ms. Comey's objection is based on hearsay and that Mr. Combs's statements that "I never understood through the three years that you felt this way," "I didn't know that you felt this way," "the person I spent three years with I have the receipts, I don't have all of this like this has been going on for three, I don't have all of, the last couple of months you started saying something," and "I just wish all around you had communicated stronger or better" are hearsay offered to prove the truth of the matter asserted. We assert that this is not hearsay, is offered to show context of the surrounding exhibits the government has introduced from December 2023, and would be otherwise admissible under the state-of-mind exemption. Furthermore, the jury has basically heard virtually their entire conversation—through Jane's testimony and their text conversations, and it would be misleading and unfair to omit this one?

We further assert that these statements are relevant to demonstrate the effect on the listener (Jane) and to properly contextualize her subsequent conduct. As the government will argue, Jane and Mr. Combs continued the at-issue sexual conduct well after this message was sent. To the extent there was any doubt as to the clarity of Jane's communication with Mr. Combs in the years prior to this message, the message marks a turning point in the relationship and the importance of clear communication. The jury should consider the message, even if not for its truth, as relevant when weighing Jane's subsequent conduct.

Respectfully,  
Teny



Teny Geragos  
Partner, Agnifilo Intrater LLP  
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o: (646) 205-4351 | [REDACTED]  
[teny@agilawgroup.com](mailto:teny@agilawgroup.com)  
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**From:** [Smyser, Madison \(USANYS\)](#)  
**To:** [SubramanianNYSDChambers@nysd.uscourts.gov](mailto:SubramanianNYSDChambers@nysd.uscourts.gov)  
**Cc:** [Johnson, Emily \(USANYS\) 2](#); [Steiner, Mitzi \(USANYS\)](#); [Foster, Meredith \(USANYS\)](#); [Comey, Maurene \(USANYS\)](#); [Slavik, Christy \(USANYS\)](#); [Marc Agnifilo](#); [Teny Geragos](#); [Alexandra Shapiro](#); [Jason A. Driscoll](#); [Anna Estevao](#); [xdonaldson@aol.com](mailto:xdonaldson@aol.com); [nw@westmorelandlawgroup.com](mailto:nw@westmorelandlawgroup.com); [thesteelawfirm@msn.com](mailto:thesteelawfirm@msn.com)  
**Subject:** 24 Cr 542 US v Combs - Napue Instruction  
**Date:** Thursday, June 12, 2025 11:12:00 PM

---

Dear Judge Subramanian and Chambers:

The Government is in receipt of the defense's proposed *Napue* instruction. Dkt. 403. The Court can and should decline to give this instruction based on the record already before the Court and for the reasons already articulated by the Court. However, if the Court is entertaining the application, the Government respectfully requests an opportunity to respond over the weekend.

Respectfully,

**Madison Reddick Smyser**

Assistant United States Attorney  
United States Attorney's Office  
Southern District of New York  
26 Federal Plaza  
New York, NY 10278  
(212) 637-2381 (office)

[madison.smyser@usdoj.gov](mailto:madison.smyser@usdoj.gov)

**From:** Subramanian NYSD Chambers  
**To:** Steiner, Mitzi (USANYS)  
**Cc:** Marc Agnifilo; Teny Geragos; Alexandra Shapiro; aestevao@harristrz.com; thesteellawfirm@msn.com; Jason A. Driscoll; nw@westmorelandlawgroup.com; xdonaldson@aol.com; Johnson, Emily (USANYS) 2; Smyser, Madison (USANYS); Slavik, Christy (USANYS); Foster, Meredith (USANYS); Comey, Maurene (USANYS)  
**Subject:** [EXTERNAL] RE: US v. Combs, 24 Cr. 542 (AS)  
**Date:** Monday, June 16, 2025 4:29:30 PM

---

Dear Counsel,

The parties should be in court at 8:00 AM tomorrow prepared to address this issue.

**Chambers of The Honorable Arun Subramanian**

United States District Court  
Southern District of New York  
500 Pearl Street, Courtroom 15A  
New York, NY 10007

---

**From:** Steiner, Mitzi (USANYS) <Mitzi.Steiner@usdoj.gov>  
**Sent:** Monday, June 16, 2025 3:35 PM  
**To:** Subramanian NYSD Chambers <SubramanianNYSDChambers@nysd.uscourts.gov>  
**Cc:** Marc Agnifilo <marc@agilawgroup.com>; Teny Geragos <teny@agilawgroup.com>; Alexandra Shapiro <ashapiro@shapiroarato.com>; aestevao@harristrz.com; thesteellawfirm@msn.com; Jason A. Driscoll <jdriscoll@shapiroarato.com>; nw@westmorelandlawgroup.com; xdonaldson@aol.com; Johnson, Emily (USANYS) 2 <Emily.Johnson@usdoj.gov>; Smyser, Madison (USANYS) <Madison.Smyser@usdoj.gov>; Slavik, Christy (USANYS) <Mary.Slavik@usdoj.gov>; Foster, Meredith (USANYS) <Meredith.Foster@usdoj.gov>; Comey, Maurene (USANYS) <Maurene.Comey@usdoj.gov>  
**Subject:** US v. Combs, 24 Cr. 542 (AS)

**CAUTION - EXTERNAL:**

Dear Chambers:

The Government writes to bring to the Court's attention the below news article published this morning that reports on the sealed proceedings involving Juror No. 7. [REDACTED]

[REDACTED] The article cites to anonymous sources with direct knowledge.

Respectfully,

Mitzi S. Steiner  
Assistant United States Attorney  
United States Attorney's Office

Southern District of New York  
26 Federal Plaza  
New York, New York 10278  
Tel: (212) 637-2284

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**Steiner, Mitzi (USANYS)**

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**From:** Subramanian NYSD Chambers <SubramanianNYSDChambers@nysd.uscourts.gov>  
**Sent:** Wednesday, June 18, 2025 7:57 AM  
**To:** Steiner, Mitzi (USANYS)  
**Cc:** Marc Agnifilo; Teny Geragos; Alexandra Shapiro; aestevao@harristrz.com; thesteellawfirm@msn.com; Jason A. Driscoll; nw@westmorelandlawgroup.com; xdonaldson@aol.com; Johnson, Emily (USANYS) 2; Smyser, Madison (USANYS); Slavik, Christy (USANYS); Foster, Meredith (USANYS); Comey, Maurene (USANYS)  
**Subject:** [EXTERNAL] RE: US v. Combs, S3 24 Cr. 542 (AS)

Dear Counsel,

Please send the contested exhibits via email.

**Chambers of The Honorable Arun Subramanian**  
United States District Court  
Southern District of New York  
500 Pearl Street, Courtroom 15A  
New York, NY 10007

---

**From:** Steiner, Mitzi (USANYS) <Mitzi.Steiner@usdoj.gov>  
**Sent:** Tuesday, June 17, 2025 11:30 PM  
**To:** Subramanian NYSD Chambers <SubramanianNYSDChambers@nysd.uscourts.gov>  
**Cc:** Marc Agnifilo <marc@agilawgroup.com>; Teny Geragos <teny@agilawgroup.com>; Alexandra Shapiro <ashapiro@shapiroarato.com>; aestevao@harristrz.com; thesteellawfirm@msn.com; Jason A. Driscoll <jdriscoll@shapiroarato.com>; nw@westmorelandlawgroup.com; xdonaldson@aol.com; Johnson, Emily (USANYS) 2 <Emily.Johnson@usdoj.gov>; Smyser, Madison (USANYS) <Madison.Smyser@usdoj.gov>; Slavik, Christy (USANYS) <Mary.Slavik@usdoj.gov>; Foster, Meredith (USANYS) <Meredith.Foster@usdoj.gov>; Comey, Maurene (USANYS) <Maurene.Comey@usdoj.gov>  
**Subject:** US v. Combs, S3 24 Cr. 542 (AS)

**CAUTION - EXTERNAL:**

Dear Chambers:

The Government intends to offer the two exhibits below tomorrow, to which it understands the defense objects. Both communications are between “One Stop,” and Combs and D-Roc, respectively. One Stop has been identified in testimony by several witnesses as a drug dealer for Combs. See Tr. 807-808; 1502-03; 1770; 2566-67.

- GX-432: Comb’s statements are admissible under 801(d)(2)(A). One Stop’s statements are admissible both as context to Comb’s statements and pursuant to 801(d)(2)(E).
- GX-110: D-Roc’s statements are admissible under 801(d)(2)(D) and (d)(2)(E). One Stop’s statements are admissible both as context to D-Roc’s statements and pursuant to 801(d)(2)(E).

The Government will be prepared to address both exhibits at tomorrow morning’s conference.

Respectfully,

Mitzi S. Steiner  
Assistant United States Attorney  
United States Attorney's Office  
Southern District of New York  
26 Federal Plaza  
New York, New York 10278  
Tel: (212) 637-2284

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**Steiner, Mitzi (USANYS)**

---

**From:** Comey, Maurene (USANYS)  
**Sent:** Thursday, June 19, 2025 8:36 PM  
**To:** Jason A. Driscoll; Subramanian NYSD Chambers  
**Cc:** Alexandra Shapiro; Teny Geragos; Marc Agnifilo; thesteellawfirm; Xavier Donaldson; Nicole Westmoreland; Anna Estevao; Slavik, Christy (USANYS); Steiner, Mitzi (USANYS); Smyser, Madison (USANYS); Foster, Meredith (USANYS); Johnson, Emily (USANYS) 2  
**Subject:** RE: US v. Combs

Good evening,

After additional productive conferrals, the parties have resolved this dispute. The Government has agreed to remove certain rows from its summary chart and will not offer the corresponding Government Exhibits. I understand from my discussion with Ms. Geragos that those steps will resolve the defense's objection on this matter.

Respectfully,

Maurene Comey  
Assistant United States Attorney  
Southern District of New York  
26 Federal Plaza, 37th Floor  
New York, NY 10278  
212-637-2324  
[Maurene.Comey@usdoj.gov](mailto:Maurene.Comey@usdoj.gov)

---

**From:** Comey, Maurene (USANYS)  
**Sent:** Thursday, June 19, 2025 4:09 PM  
**To:** Jason A. Driscoll <jdriscoll@shapiroarato.com>; Subramanian NYSD Chambers <subramaniannysdchambers@nysd.uscourts.gov>  
**Cc:** Alexandra Shapiro <ashapiro@shapiroarato.com>; Teny Geragos <teny@agilawgroup.com>; Marc Agnifilo <marc@agilawgroup.com>; thesteellawfirm <thesteellawfirm@msn.com>; Xavier Donaldson <Xdonaldson@aol.com>; Nicole Westmoreland <nw@westmorelandlawgroup.com>; Anna Estevao <aestevao@harristrz.com>; Slavik, Christy (USANYS) <Mary.Slavik@usdoj.gov>; Steiner, Mitzi (USANYS) <Mitzi.Steiner@usdoj.gov>; Smyser, Madison (USANYS) <Madison.Smyser@usdoj.gov>; Foster, Meredith (USANYS) <Meredith.Foster@usdoj.gov>; Johnson, Emily (USANYS) 2 <Emily.Johnson@usdoj.gov>  
**Subject:** RE: US v. Combs

Good afternoon,

The Government had understood that the parties were continuing to confer about the exhibits raised in the defense's letter. I have just spoken with Ms. Geragos and Mr. Driscoll, and I am hopeful that the parties can resolve this issue through additional conferrals today. If that is not the case, I will file a response this evening.

Respectfully,

Maurene Comey  
Assistant United States Attorney  
Southern District of New York  
26 Federal Plaza, 37th Floor  
New York, NY 10278  
212-637-2324  
[Maurene.Comey@usdoj.gov](mailto:Maurene.Comey@usdoj.gov)

---

**From:** Jason A. Driscoll <[jdriscoll@shapiroarato.com](mailto:jdriscoll@shapiroarato.com)>  
**Sent:** Thursday, June 19, 2025 12:24 PM  
**To:** Subramanian NYSD Chambers <[subramaniannysdchambers@nysd.uscourts.gov](mailto:subramaniannysdchambers@nysd.uscourts.gov)>  
**Cc:** Alexandra Shapiro <[ashapiro@shapiroarato.com](mailto:ashapiro@shapiroarato.com)>; Jason A. Driscoll <[jdriscoll@shapiroarato.com](mailto:jdriscoll@shapiroarato.com)>; Teny Geragos <[teny@agilawgroup.com](mailto:teny@agilawgroup.com)>; Marc Agnifilo <[marc@agilawgroup.com](mailto:marc@agilawgroup.com)>; thesteellawfirm <[thesteellawfirm@msn.com](mailto:thesteellawfirm@msn.com)>; Xavier Donaldson <[Xdonaldson@aol.com](mailto:Xdonaldson@aol.com)>; Nicole Westmoreland <[nw@westmorelandlawgroup.com](mailto:nw@westmorelandlawgroup.com)>; Anna Estevao <[aestevao@harristrz.com](mailto:aestevao@harristrz.com)>; Slavik, Christy (USANYS) <[Mary.Slavik@usdoj.gov](mailto:Mary.Slavik@usdoj.gov)>; Steiner, Mitzi (USANYS) <[Mitzi.Steiner@usdoj.gov](mailto:Mitzi.Steiner@usdoj.gov)>; Smyser, Madison (USANYS) <[Madison.Smyser@usdoj.gov](mailto:Madison.Smyser@usdoj.gov)>; Comey, Maurene (USANYS) <[Maurene.Comey@usdoj.gov](mailto:Maurene.Comey@usdoj.gov)>; Foster, Meredith (USANYS) <[Meredith.Foster@usdoj.gov](mailto:Meredith.Foster@usdoj.gov)>; Johnson, Emily (USANYS) 2 <[Emily.Johnson@usdoj.gov](mailto:Emily.Johnson@usdoj.gov)>  
**Subject:** [EXTERNAL] US v. Combs

Dear Chambers,

Attached please find a letter on behalf of Mr. Combs, as well as the relevant exhibits. We will confer with the government on appropriate redactions for the public filing.

Jason A. Driscoll  
**sab** Shapiro Arato Bach LLP  
1140 Avenue of the Americas, 17th Floor  
New York, NY 10036  
212-257-4898 (o)  
[jdriscoll@shapiroarato.com](mailto:jdriscoll@shapiroarato.com)  
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**Steiner, Mitzi (USANYS)**

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**From:** Comey, Maurene (USANYS)  
**Sent:** Sunday, June 22, 2025 6:31 PM  
**To:** Subramanian NYSD Chambers; Teny Geragos; Foster, Meredith (USANYS); Johnson, Emily (USANYS) 2; Slavik, Christy (USANYS); Steiner, Mitzi (USANYS); Smyser, Madison (USANYS)  
**Cc:** Marc Agnifilo; thesteellawfirm; Alexandra Shapiro; Jason A. Driscoll; Anna Estevao; nw@westmorelandlawgroup.com; xdonaldson  
**Subject:** RE: US v. Combs - scheduling update

Good evening,

The parties have conferred, and we expect that Agent Cerciello's testimony will likely continue into Tuesday 6/24 and end sometime before lunch that day. Understanding that timing, the parties have been unable to reach agreement about a proposed schedule thereafter.

Until this afternoon, the Government had understood, based on defense counsel's repeated representations on the record, that the defense would have at least one full day of evidence to present in its case. The Government team accordingly prioritized our time on the understanding that the charge conference would take place no sooner than Wednesday 6/25. The Government has spent significant time this weekend going through the proposed charge and anticipates a substantial number of objections that we will need to discuss with the defense. We will not have enough time to confer with the defense and create a single document containing the parties' positions in time for a charge conference on Tuesday 6/24.

Accordingly, the Government proposes the following schedule:

- Tuesday 6/24 – Government completes its case and rests. The jury can then be excused for a long break while the Court hears arguments on the defendant's Rule 29 motion. If the motion is denied, then the jury returns to the courtroom, where the defense presents its case (the Government understands the defense plans to seek to admit dozens of text message chains into evidence and may seek to publish and/or read some selection to the jury). After the defense rests, the jury is excused. By 5pm, the parties provide the Court with their joint comments on the proposed jury charge.
- Wednesday 6/25 – The jury is given the day off so that the parties may attend the charge conference that morning. The Government expects the conference will likely take multiple hours.
- Thursday 6/26 – Closing arguments begin.
- Friday 6/27 – Closing arguments conclude, and the Court charges the jury.

This schedule will allow sufficient time for the parties to prepare for and be heard both during the Rule 29 argument and during the charge conference. It also would not affect the trial concluding before July 4 as planned.

The Government understands that the defense prefers the following schedule instead:

- Tuesday 6/24 – Government completes its case and rests. Jury excused for the day. Court hears Rule 29 argument, and then holds charge conference.
- Wednesday 6/25 – The defense presents its case then rests. Closing arguments begin.
- Thursday 6/26 – Closing arguments conclude, and the Court charges the jury.

The defense proposal would prejudice the Government, which had been prioritizing preparations for at least a one-day defense case. In particular, not having a final charge in this complex case until late Tuesday would

present challenges in incorporating the expected charge in the Government's summation. We therefore ask that the Court adopt the Government's proposed schedule.

Respectfully,

Maurene Comey  
 Assistant United States Attorney  
 Southern District of New York  
 26 Federal Plaza, 37th Floor  
 New York, NY 10278  
 212-637-2324  
[Maurene.Comey@usdoj.gov](mailto:Maurene.Comey@usdoj.gov)

**From:** Subramanian NYSD Chambers <[SubramanianNYSDChambers@nysd.uscourts.gov](mailto:SubramanianNYSDChambers@nysd.uscourts.gov)>  
**Sent:** Sunday, June 22, 2025 4:42 PM  
**To:** Teny Geragos <[teny@agilawgroup.com](mailto:teny@agilawgroup.com)>; Subramanian NYSD Chambers <[SubramanianNYSDChambers@nysd.uscourts.gov](mailto:SubramanianNYSDChambers@nysd.uscourts.gov)>; Comey, Maurene (USANYS) <[Maurene.Comey@usdoj.gov](mailto:Maurene.Comey@usdoj.gov)>; Foster, Meredith (USANYS) <[meredith.foster@usdoj.gov](mailto:meredith.foster@usdoj.gov)>; Johnson, Emily (USANYS) 2 <[Emily.Johnson@usdoj.gov](mailto:Emily.Johnson@usdoj.gov)>; Slavik, Christy (USANYS) <[Mary.Slavik@usdoj.gov](mailto:Mary.Slavik@usdoj.gov)>; Steiner, Mitzi (USANYS) <[Mitzi.Steiner@usdoj.gov](mailto:Mitzi.Steiner@usdoj.gov)>; Smyser, Madison (USANYS) <[Madison.Smyser@usdoj.gov](mailto:Madison.Smyser@usdoj.gov)>  
**Cc:** Marc Agnifilo <[marc@agilawgroup.com](mailto:marc@agilawgroup.com)>; thesteellawfirm <[thesteellawfirm@msn.com](mailto:thesteellawfirm@msn.com)>; Alexandra Shapiro <[ashapiro@shapiroarato.com](mailto:ashapiro@shapiroarato.com)>; Jason A. Driscoll <[jdriscoll@shapiroarato.com](mailto:jdriscoll@shapiroarato.com)>; Anna Estevao <[aestevao@harristrz.com](mailto:aestevao@harristrz.com)>; nw@westmorelandlawgroup.com; xdonaldson <[xdonaldson@aol.com](mailto:xdonaldson@aol.com)>  
**Subject:** [EXTERNAL] RE: US v. Combs - scheduling update

The Court appreciates the update. Given that the evidence will likely be closed tomorrow, the Court's proposal would be for the jury to be advised at the end of the day tomorrow not to come in Tuesday but rather to return Wednesday for closings. **On that schedule, the parties would need to return the redlined proposed charge to the Court by tomorrow evening.** The parties and Court would hold the charge conference on Tuesday afternoon (with the attorneys presenting closings not being required to attend).

If the parties have a joint alternative proposal on the schedule, they can advise the Court.

**From:** Teny Geragos <[teny@agilawgroup.com](mailto:teny@agilawgroup.com)>  
**Sent:** Sunday, June 22, 2025 3:38 PM  
**To:** Subramanian NYSD Chambers <[SubramanianNYSDChambers@nysd.uscourts.gov](mailto:SubramanianNYSDChambers@nysd.uscourts.gov)>; Comey, Maurene (USANYS) <[Maurene.Comey@usdoj.gov](mailto:Maurene.Comey@usdoj.gov)>; Foster, Meredith (USANYS) <[meredith.foster@usdoj.gov](mailto:meredith.foster@usdoj.gov)>; Johnson, Emily (USANYS) 2 <[Emily.Johnson@usdoj.gov](mailto:Emily.Johnson@usdoj.gov)>; Slavik, Christy (USANYS) <[Mary.Slavik@usdoj.gov](mailto:Mary.Slavik@usdoj.gov)>; Steiner, Mitzi (USANYS) <[Mitzi.Steiner@usdoj.gov](mailto:Mitzi.Steiner@usdoj.gov)>; Smyser, Madison (USANYS) <[Madison.Smyser@usdoj.gov](mailto:Madison.Smyser@usdoj.gov)>  
**Cc:** Marc Agnifilo <[marc@agilawgroup.com](mailto:marc@agilawgroup.com)>; thesteellawfirm <[thesteellawfirm@msn.com](mailto:thesteellawfirm@msn.com)>; Alexandra Shapiro <[ashapiro@shapiroarato.com](mailto:ashapiro@shapiroarato.com)>; Jason A. Driscoll <[jdriscoll@shapiroarato.com](mailto:jdriscoll@shapiroarato.com)>; Anna Estevao <[aestevao@harristrz.com](mailto:aestevao@harristrz.com)>; nw@westmorelandlawgroup.com; xdonaldson <[xdonaldson@aol.com](mailto:xdonaldson@aol.com)>  
**Subject:** US v. Combs - scheduling update

**CAUTION - EXTERNAL:**

Dear Chambers and Counsel:

After a weekend of discussions on the defense side and with our client, we do not believe we will be calling any defense witnesses and expect that we will be able to rest the defense case after moving in several exhibits that we are conferring with the government about currently.



Teny Geragos  
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**Steiner, Mitzi (USANYS)**

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**From:** Smyser, Madison (USANYS)  
**Sent:** Thursday, June 26, 2025 12:43 PM  
**To:** Subramanian NYSD Chambers; Marc Agnifilo; teny; Alexandra Shapiro; Anna Estevao; thesteellawfirm; Jason A. Driscoll; Jonathan Bach; Attorney Westmoreland; xdonaldson; Johnson, Emily (USANYS) 2; Foster, Meredith (USANYS); Steiner, Mitzi (USANYS); Comey, Maurene (USANYS)  
**Subject:** RE: 24cr542 USA v. Combs

Dear Judge Subramanian and Chambers:

As discussed this morning, the Government requests that the paragraph concerning the buyer-seller exception, currently page 38, lines 17-22, be moved to the conspiracy portion of the drug predicate charge, specifically to page 40 line 9, before the final paragraph of the conspiracy section.

In addition, the Government notes that on page 8, lines 11 and 18, the reference to "1951" should be "1591."

We understand that the defense has no objection to these requests.

Respectfully,

**Maddie R. Smyser**  
(212) 637-2381 (office)

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**From:** Subramanian NYSD Chambers <[SubramanianNYSDChambers@nysd.uscourts.gov](mailto:SubramanianNYSDChambers@nysd.uscourts.gov)>  
**Sent:** Wednesday, June 25, 2025 11:24 PM  
**To:** Marc Agnifilo <[marc@agilawgroup.com](mailto:marc@agilawgroup.com)>; teny <[teny@agilawgroup.com](mailto:teny@agilawgroup.com)>; Alexandra Shapiro <[ashapiro@shapiroarato.com](mailto:ashapiro@shapiroarato.com)>; Anna Estevao <[aestevao@harristrz.com](mailto:aestevao@harristrz.com)>; thesteellawfirm <[thesteellawfirm@msn.com](mailto:thesteellawfirm@msn.com)>; Jason A. Driscoll <[jdriscoll@shapiroarato.com](mailto:jdriscoll@shapiroarato.com)>; Jonathan Bach <[jbach@shapiroarato.com](mailto:jbach@shapiroarato.com)>; Attorney Westmoreland <[nw@westmorelandlawgroup.com](mailto:nw@westmorelandlawgroup.com)>; xdonaldson <[xdonaldson@aol.com](mailto:xdonaldson@aol.com)>; Johnson, Emily (USANYS) 2 <[Emily.Johnson@usdoj.gov](mailto:Emily.Johnson@usdoj.gov)>; Smyser, Madison (USANYS) <[Madison.Smyser@usdoj.gov](mailto:Madison.Smyser@usdoj.gov)>; Smyser, Madison (USANYS) <[Madison.Smyser@usdoj.gov](mailto:Madison.Smyser@usdoj.gov)>; Foster, Meredith (USANYS) <[Meredith.Foster@usdoj.gov](mailto:Meredith.Foster@usdoj.gov)>; Steiner, Mitzi (USANYS) <[Mitzi.Steiner@usdoj.gov](mailto:Mitzi.Steiner@usdoj.gov)>; Comey, Maurene (USANYS) <[Maurene.Comey@usdoj.gov](mailto:Maurene.Comey@usdoj.gov)>  
**Subject:** [EXTERNAL] 24cr542 USA v. Combs

Dear Counsel,

Attached are: 1) the jointly-proposed verdict sheet, 2) the jury charge, and 3) a redline that shows differences between the jury charge and the draft that was shared with the parties this afternoon at 2:00 PM.

**Chambers of The Honorable Arun Subramanian**  
United States District Court  
Southern District of New York  
500 Pearl Street, Courtroom 15A  
New York, NY 10007

**Steiner, Mitzi (USANYS)**

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**From:** Steiner, Mitzi (USANYS)  
**Sent:** Friday, June 27, 2025 11:27 AM  
**To:** SubramanianNYSDChambers  
**Cc:** Johnson, Emily (USANYS) 2; Slavik, Christy (USANYS); Foster, Meredith (USANYS); Smyser, Madison (USANYS); Teny Geragos; Comey, Maurene (USANYS); Steiner, Mitzi (USANYS); Marc Agnifilo; teny; Alexandra Shapiro; Anna Estevao; thesteellawfirm; Jason A. Driscoll; Attorney Westmoreland; xdonaldson  
**Subject:** US v. Combs, 24 Cr. 542 (AS)

Dear Chambers:

As discussed, please find below draft curative instructions regarding statements in the defense's summations.

- During his summation, Mr. Agnifilo made a statement about certain conduct being a misdemeanor. Other than the charges in this case, you are not to consider whether or not any conduct you've heard evidence about constitutes a separate state offense. That is not a question before you, and I instruct you to disregard that argument.
- During his summation, Mr. Agnifilo invited you to consider the charging decisions made by prosecutors in this case. It would be improper for you to consider such matters in your deliberations and you should disregard those comments.
- Mr. Agnifilo has stated that Mr. Combs is charged with kidnapping, arson, bribery, and witness tampering. I instruct you that he is not charged with those crimes. As I will instruct you, he is charged with being a member of a racketeering conspiracy and agreeing with others to participate in a pattern of racketeering. He has not been charged separately with these crimes.

Thank you,  
Mitzi

Mitzi S. Steiner  
Assistant United States Attorney  
United States Attorney's Office  
Southern District of New York  
26 Federal Plaza  
New York, New York 10278  
Tel: (212) 637-2284

**Steiner, Mitzi (USANYS)**

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**From:** Slavik, Christy (USANYS)  
**Sent:** Monday, June 30, 2025 2:02 PM  
**To:** Subramanian NYSD Chambers  
**Cc:** Johnson, Emily (USANYS) 2; Steiner, Mitzi (USANYS); Foster, Meredith (USANYS); Smyser, Madison (USANYS); Comey, Maurene (USANYS); Marc Agnifilo; Teny Geragos; Alexandra Shapiro; Jason A. Driscoll; xdonaldson@aol.com; nw@westmorelandlawgroup.com; thesteellawfirm@msn.com  
**Subject:** US v. Combs - proposed jury instruction

Dear Judge Subramanian and Chambers,

The parties are unable to agree on a joint proposed instruction to the jury. Below are the separate proposals:

**Government proposal:**

I received your note. I remind every juror of their duty to deliberate and their obligation to follow my instructions on the law. With that instruction in mind, please resume your deliberations. If any further issue on this topic arises, please have your foreperson send a further note. Please ensure that any notes do not reference or reveal any juror's view of the evidence, the merits of the case, or the breakdown of the vote.

**Defense proposal:**

I received your note. You have only recently started your deliberations. Please resume. If an issue arises, please have your foreperson send me a note. Please ensure that any notes do not reference or reveal any juror's view of the evidence, the merits of the case, or the breakdown of the vote.

**M. Christine (Christy) Slavik**

Assistant United States Attorney  
United States Attorney's Office for the Southern District of New York  
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New York, New York 10278  
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**From:** [Smyser, Madison \(USANYS\)](#)  
**To:** [SubramanianNYSDChambers](#)  
**Cc:** [Johnson, Emily \(USANYS\) 2](#); [Steiner, Mitzi \(USANYS\)](#); [Foster, Meredith \(USANYS\)](#); [Comey, Maurene \(USANYS\)](#); [Slavik, Christy \(USANYS\)](#); [Marc Agnifilo](#); [Teny Geragos](#); [Alexandra Shapiro](#); [Jason A. Driscoll](#); [aestevao@harristrz.com](#); [xdonaldson@aol.com](#); [thesteelawfirm@msn.com](#); [nw@westmorelandlawgroup.com](#)  
**Subject:** 24 Cr. 542 US v Combs - Jury Question  
**Date:** Monday, June 30, 2025 6:04:00 PM

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Dear Judge Subramanian and Chambers:

Despite attempts to confer, the parties have been unable to reach an agreement. The Government's proposal is below. We expect the defense will respond shortly.

The Government proposes that the Court answer the jury's question with: "Yes," and refer the jury to lines 1 through 3 of the instructions on page 37 ("The word 'distribution' means actual, constructive, or attempted transfer. To distribute simply means to deliver, to pass over, or to hand over something to another person, or to cause it to be delivered, passed on, or handed over to another. Distribution does not require a sale.").

If the Court is inclined to simply point the jury to the instructions, the Government respectfully requests that the Court add the following supplemental instruction, which was approved of by the Second Circuit in *United States v. Wallace*, 532 F.3d 126, 129 (2d Cir. 2008): "Sharing drugs with another constitutes distribution."

The Government opposes any instruction that refers to any portion of the charge other than the definition of "distribution." It is clear on its face that the jury's question relates only to distribution, and any reference to the possession with intent instruction or conspiracy instruction would be misleading and confusing.

Respectfully,

**Madison Reddick Smyser**

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